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EXAMINER
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ART UNIT	PAPER NUMBER
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Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 07-01)

	Application No.	Applicant(s)
Office Action Summary	09/422,339	THOMAS G. WOOLSTON, ET AL.
	Examiner	Art Unit
	Timothy M Brown	2165

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>21 October 1999</u> .

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
   closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-66* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-66* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

   If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All b)☐ Some * c)☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

   a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). __ __ .

2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) *2, 3* .   6) ☐ Other: .

DETAILED ACTION

1.   Claims 1-66 have been examined.

Claim Rejections - 35 USC § 112

2.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

3.   **Claims 36, 45, 46, 47 and 50-66 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.**

Claim 36 recites the limitation "the interactive link" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claim 45 recites the limitation "the plurality of instances of the modular computer program" beginning in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 46 and 47 recite the limitation " the one or more visual indications " in the first line of each of the claims. There is insufficient antecedent basis for this limitation in the claims.

Claim 50 recites the limitation "the instructions" in the first line of the claim. There is insufficient antecedent basis for this limitation in the claim.

Claims 50-66 recite the limitation "[t]he software" in the first line of each of the claims. Furthermore, claim 55 recites "the software" in the second line of the claim. There is insufficient antecedent basis for this limitation in the claims.

Claim 58 recites the limitation "the interactive link" in the first line of the claim.

There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

4.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5.   Claims 1, 3, 4, 6, 7, 10, 27, 29, 30, 48, 49, 51 and 52 are rejected under 35

U.S.C. 102(b) as being anticipated by the article published in HFD-The Weekly

Home Furnishings Newspaper (hereinafter HFD article) (*GE Commits to Quick*

Response: Dealers get opportunity to check firm's stock around the clock;

***deliveries within 48 hours, HFD The Weekly Home Furnishings Newspaper,* Vol. 0,**

no. 0 (August 5, 1991), p. 105).

Regarding independent claim 1, the HFD article teaches a method for

encouraging users of a computer network to access dynamic pricing information on the

computer network, the method comprising distributing to one or more users of the

computer network a modular computer program that displays dynamic pricing

information collected from the computer network (page 1, paragraphs 5 and 9) and

presenting to the one or more users of the modular computer program an interactive

visual indication of a user-attractive resource available on the computer network (page

1, paragraphs 7, 9 and 11; and page 2, paragraph 3).

Regarding claim 3, the HFD article further teaches collecting dynamic pricing information from the computer network (page 1, paragraph 9).

Regarding claim 6, the HFD article teaches distributing the modular computer program by pushing a copy of the modular computer program to one or more users of the computer network (page 1, paragraph 2).

Regarding claim 7, the HFD article teaches distributing the modular computer program by enabling users of the computer network to pull a copy of the modular computer program (page 1, paragraph 2).

Regarding claim 10, the HFD article teaches causing the modular computer program to display a stream of dynamic pricing information collected from the computer network (page 1, paragraph 8).

Regarding independent claim 27, the HFD article teaches a system for encouraging users of a computer network to access dynamic pricing information on the computer network, the system comprising a source of dynamic pricing information (page 1, paragraph 9), a modular computer program comprising instructions to perform the operations of receiving dynamic pricing information from the dynamic pricing information source (page 1, paragraph 9), displaying the received dynamic pricing information to a user of the modular computer program (page 1, paragraphs 2, 7 and 9) and presenting to the user of the modular computer program an interactive visual indication of a user-attractive resource available on the computer network (page 1, paragraphs 7 and 11; and page 2, paragraph 3).

Regarding independent claim 48, the HFD article teaches a method for encouraging users of a computer network to access a dynamic pricing system, the method comprising presenting a user-interface abstraction that displays dynamic pricing information collected from the computer network and displays an interactive visual indication of a user-attractive resource available on the computer network (page 1, paragraphs 5, 7, 9 and 11; and page 2, paragraph 3).

Regarding claims 4, 30 and 52, the HFD article further teaches the use of the Internet as the computer network upon which the applicant's system and method depends (page 1, paragraphs 2 and 5).

Regarding claims 29 and 51, the HFD article further teaches a modular computer program comprising instructions to receive dynamic pricing information from the computer network (page 1, paragraph 9).

Regarding independent claim 49, the HFD article teaches computer software, embodied in a tangible medium and/or in a propagated carrier signal, for encouraging users of a computer network to access a dynamic pricing system, the software comprising instructions to cause a computer system to present a userinterface abstraction that displays dynamic pricing information collected from the computer network and displays an interactive visual indication of a user-attractive resource available on the computer network (page 1, paragraphs 5, 7, 9 and 11; and page 2, paragraph 3).

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   **Claims 2, 5, 9, 13, 14, 15, 21, 28, 31, 34-36, 42, 50, 53, 56- 58 and 64 are**

rejected under 35 U.S.C. 103(a) as being unpatentable over the HFD article (*GE*

Commits to Quick Response: Dealers get opportunity to check firm's stock

around the clock; deliveries within 48 hours, HFD The Weekly Home Furnishings

Newspaper,* Vol. 0, no. 0 (August 5, 1991), p. 105) in view of Ng (Ng, M. *Tool Time,

***Travel Agent,* (August 7, 1997) p. 68).**

The HFD article teaches all the limitations noted in the rejection of claims 1, 27

and 48 under 35 U.S.C 102(b) above.

Regarding claim 9, the HFD article does not explicitly teach distributing the

modular computer program by sending it to a user of the computer network through an

instant messaging system. However, this limitation is well-known in the art. By

modifying the teachings of the HFD article to include distributing the modular computer

program by sending it to a user of the computer network through an instant messaging

system, one of ordinary skill in the art would be permitted to instantly notify the user of

the computer network that the modular computer program had been transmitted to him

by email. Moreover, distributing the modular computer program by sending it to a user

of the computer network through an instant messaging system would provide a

heightened awareness of the modular computer program thereby increasing the user's interest.

Regarding claims 14, 35 and 57, the HFD article does not explicitly teach a method or system wherein the interactive visual indication comprises an interactive link to the user-attractive resource. However, this limitation is well-known in the art. By modifying the teachings of the HFD article to include a method or system wherein the interactive visual indication comprises an interactive link to the user-attractive resource, one of ordinary skill in the art would be permitted to quickly and accurately direct the user of the computer network to the user-attractive resource.

Regarding claim 15, the HFD article does not explicitly teach a method wherein the interactive link comprises a uniform resource locator (URL) tag. However, this limitation is taught by well-known principles in the art as applied to claims 36 and 58 above.

Regarding claims 2, 28 and 50, the HFD article does not explicitly teach a modular computer program comprising a java-based applet. However, Ng teaches this limitation (page 1, paragraph 3). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article to include a modular computer program comprising a java-based applet as taught by Ng. One of ordinary skill in the art would have been motivated to modify the teachings of the HFD article to include a modular computer program comprising a java-based applet because this would facilitate the collection of user data.

Regarding claims 5, 31, and 53, the HFD article does not explicitly teach a computer network comprising a virtual private network. However, Ng teaches this limitation (page 1, paragraph 2). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a computer network comprising a virtual private network as taught by Ng. One of ordinary skill in the art would have been motivated to modify the teachings of the HFD article to include a computer network comprising a virtual private network as taught by Ng because this would permit the applicant's system and method to be used in private network environments thereby expanding the potential market for applicant's method and system.

Regarding claims 13, 34 and 56, the HFD article does not explicitly teach a method or system wherein the interactive visual indication comprises a glyph. However, Ng teaches this limitation (page 1, paragraph 7). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the interactive visual indication comprises a glyph as taught in Ng. One of ordinary skill in the art would have been motivated to modify the teachings of the HFD article, to include a method or system wherein the interactive visual indication comprises a glyph because this would concisely convey information concerning the interactive visual indication.

Regarding claims 21, 42 and 64, the HFD article does not explicitly teach providing a user with access to the user-attractive resource upon sensing that the user selected the interactive visual indication. However, Ng teaches this limitation (page 1,

paragraph 7). At the time of the applicant's invention, it would have been obvious to

one of ordinary skill in the art, to modify the teachings of the HFD article, to include

providing a user with access to the user-attractive resource upon sensing that the user

selected the interactive visual indication. By modifying the teachings of the HFD article,

to include providing a user with access to the user-attractive resource upon-sensing that

the user selected the interactive visual indication as taught in Ng, one of ordinary skill in

the art would be able to provide the user with additional information by using a visual

indication as a trigger. Consequently, the method and/or system of the applicant's

invention would be able to display pricing information without cluttering its display with

additional information that is of interest to the user.

Regarding claims 36 and 58, neither the HFD article nor Ng teach the use of an

interactive link comprising a uniform resource locator (URL) tag. However, it is

notoriously well known in the art that interactive links often comprise a URL tag. Thus,

at the time of the applicant's invention, it would have been obvious to one of ordinary

skill in the art to modify the teachings of the HFD article to include a method wherein the

interactive link comprises a uniform resource locator (URL) tag in order to inform the

user of the address to which the interactive link corresponds.

8.   Claims 8, 11, 12, 23, 24, 32, 33, 44, 54, 55 and 66 are rejected under 35

U.S.C. 103(a) as being unpatentable over the HFD article (*GE Commits to Quick*

Response: Dealers get opportunity to check firm's stock around the clock;

deliveries within 48 hours, HFD The Weekly Home Furnishings Newspaper, Vol. 0,

no. 0 (August 5, 1991), p. 105) in view of Samit (Samit, M. *Letting Prospects Sell*

***Themselves, Marketing Computers* (April 1997), p. 73).**

The HFD article teaches all the limitations noted in the rejection of claims 1, 27

and 48 under 35 U.S.C 102(b) above.

Regarding claim 8, the HFD article does not explicitly teach distributing the

modular computer program by sending it to a user of the computer network through an

electronic mail system. However, Samit teaches this limitation (page 1, paragraph 5).

At the time of the applicant's invention, it would have been obvious to one of ordinary

skill in the art to modify the teachings of the HFD article, to include the distributing the

modular computer program by sending it to a user of the computer network through an

electronic mail system as taught by Samit. One of ordinary skill in the art would have

been motivated to modify the teachings of the HFD article, to include distributing the

modular computer program by sending it to a user of the computer network through an

electronic mail system as taught in Samit because this would allow the modular

computer program to be distributed to the user of the computer network quickly.

Morevover, by modifying the teachings of the HFD article to include distributing the

modular computer program by sending it to a user of the computer network through an

electronic mail system would reduce costs in that manufacturing and postage costs

would be eliminated.

Regarding claims 11, 32 and 54, the HFD article does not explicitly teach a

method or system wherein the dynamic pricing information that is displayed varies

based on user input. However, Samit teaches this limitation (page 1, paragraph 3). At

the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the dynamic pricing information that is displayed varies based on user input as taught in Samit. One of ordinary skill in the art would have been motivated to modify the teachings of the HFD article to include a method or system wherein the dynamic pricing information that is displayed varies based on user input as taught in Samit in order to display pricing information that is of interest to the user of the computer network.

Regarding claims 12, 33 and 55, the HFD article does not explicitly teach a method or system wherein the user can selectively view different levels of the taxonomy. However, Samit teaches this limitation (page 1, paragraph 3). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the user can selectively view different levels of the taxonomy as taught in Samit. One of ordinary skill in the art would have been motivated to modify the teachings of the HFD article to include a method or system wherein the dynamic pricing information that is displayed varies based on user input as taught in Samit because this would organize the presentation of the pricing information thereby improving its accessibility.

Regarding claims 23, 44 and 66, the HFD article does not explicitly teach a method or system wherein a plurality of instances of the modular computer program are presented to a user concurrently. However, Samit teaches this limitation (page 1, paragraph 5; and page 2, paragraph 1). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD

article, to include a method or system wherein a plurality of instances of the modular computer program are presented to a user concurrently as taught in Samit. By modifying the teachings of the HFD article to include a method or system wherein a plurality of instances of the modular computer program are presented to a user concurrently, one of ordinary skill in the art would be permitted to present a variety of modular computer programs to the user thereby increasing the likelihood that the user will be presented with a modular computer program that is of interest to the user.

Regarding claim 24, the HFD article further teaches a method wherein the modular computer program includes one or more associated visual indications of a user-attractive resource available on the computer network (page 1, paragraphs 2 and 7; and page 2, paragraph 4).

9.   **Claims 25, 26, 46 and 47 are rejected under 35 U.S.C. 103(a) as being unpatentable over the HFD article (*GE Commits to Quick Response: Dealers get opportunity to check firm's stock around the clock; deliveries within 48 hours, HFD The Weekly Home Furnishings Newspaper,* Vol. 0, no. 0 (August 5, 1991), p. 105) in view of Samit (Samit, M. *Letting Prospects Sell Themselves, Marketing Computers* (April 1997), p. 73) and further in view of Gardenswartz et al. (US 6,055,573).**

The HFD article and Samit teach all the limitations discussed in the rejection of claims 24 and 44 above.

Regarding claims 25 and 46 neither the HFD article nor Samit explicitly teach a method or system wherein each of the one or more visual indications can be the same

as or different from the visual indications on other instances of the modular computer

program. However, Gardenswartz et al. teach this limitation (col. 10, lines 24-30; and

col. 11, lines 3-8 and 20-23). By modifying the teachings of the HFD article and Samit,

to include a method or system wherein each of the one or more visual indications can

be the same as or different from the visual indications on other instances of the modular

computer program as taught in Gardenswartz et al., one of ordinary skill in the art would

be permitted to mix and match modular computer programs and visual indications

according to the users' preference or frequency of selection of a particular visual

indication.

10.   Regarding claims 26 and 47, neither the HFD article nor Samit teach a method or

system wherein each of the one or more visual indications can correspond to the same

or different user attractive resources as the visual indications on other instances of the

modular computer program. However, this limitation is taught by Gardenswartz et al.

(col. 10, lines 24-30; and col. 11, lines 3-8 and 20-23). By modifying the teachings of

the HFD article and Samit, to include a method or system wherein each of the one or

more visual indications can correspond to the same or different user attractive

resources as the visual indications on other instances of the modular computer program

as taught by Gardenswartz et al., one of ordinary skill in the art would be permitted to

customize the one or more modular computer program(s) according to user demand for

a particular user-attractive resource.

11.   **Claims 16, 17, 37, 38, 59 and 60 are rejected under 35 U.S.C. 103(a) as**

being unpatentable over the HFD article (*GE Commits to Quick Response:*

Dealers get opportunity to check firm's stock around the clock; deliveries within 48 hours, HFD The Weekly Home Furnishings Newspaper, **Vol. 0, no. 0 (August 5, 1991), p. 105) in view of Donaldson (Donaldson, D.** *Netting sales. (use of Internet in retail trade, Do-It-Yourself Retailing,* **Vol. 176, no. 1 (January 1999) p. 55).**

The HFD article teaches all the limitations discussed in the 102 rejection of claims 1, 27 and 48 above.

Regarding claims 16, 37 and 59, the HFD article does not explicitly teach a method or system wherein the user-attractive resource comprises a contest. However, Donaldson teaches this limitation (page 1, paragraph 10). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the user-attractive resource comprises a contest as taught by Donaldson. One of ordinary skill in the art would have been motivated to modify the teachings of the HFD article to include a method or system wherein the user-attractive resource comprises a contest in order to provide users with an additional incentive to utilize the method and/or system claimed by the applicant.

Regarding claims 17, 38 and 60, the HFD article does not explicitly teach a method or system wherein the user-attractive resource comprises a reward program. However, Donaldson teaches this limitation (page 1, paragraph 10). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art, to modify the teachings of the HFD article, to include a method or system wherein the

user-attractive resource comprises a reward program in order to encourage users to utilize the method and/or system claimed by the applicant.

12. Claims 18, 39 and 61 are rejected under 35 U.S.C. 103(a) as being unpatentable over the HFD article (*GE Commits to Quick Response: Dealers get opportunity to check firm's stock around the clock; deliveries within 48 hours, HFD The Weekly Home Furnishings Newspaper,* Vol. 0, no. 0 (August 5, 1991), p. 105) in view of Kay (Kay, E. *Flexed Pricing, Datamation,* Vol. 44, no. 2 (February 1998) p. 58).

The HFD article teaches all the limitations discussed in the 102 rejection of claims 1, 27 and 48 above.

Regarding claims 18, 39 and 61, the HFD article does not explicitly teach a method or system wherein the user attractive resource comprises a coupon. However, Kay teaches this limitation (page 1). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to combine the teachings of the HFD article, to include a method or system wherein the user attractive resource comprises a coupon as taught by Kay. By modifying the teachings of the HFD article to include a method or system wherein the user attractive resource comprises a coupon, one of ordinary skill in the art would be permitted to provide users with a discount thereby encouraging users to utilize the method and/or system claimed by the applicant.

13. Claims 19, 40 and 62 are rejected under 35 U.S.C. 103(a) as being unpatentable over the HFD article (*GE Commits to Quick Response: Dealers get opportunity to check firm's stock around th clock; deliveries within 48 hours,*

HFD The Weekly Home Furnishings Newspaper, Vol. 0, no. 0 (August 5, 1991), p.

105) in view of Woods (Woods, B. *Web Marketplace – Halsey Minor keynote,*

Newsbytes, (April 12, 1996)).

The HFD article teaches all the limitations discussed in the 102 rejection of

claims 1, 27 and 48 above.

Regarding claims 19, 40 and 62, the HFD article does not explicitly teach a

method or system wherein the user-attractive resource comprises an advertisement.

However, Woods teaches this limitation (page1, paragraphs 2 and 5). At the time of the

applicant's invention, it would have been obvious to one of ordinary skill in the art to

modify the teachings of the HFD article, to include a method or system wherein the

user-attractive resource comprises an advertisement in order to encourage user

demand for the item or service depicted in the advertisement.

14.   Claims 20, 41 and 63 are rejected under 35 U.S.C. 103(a) as being

unpatentable over the HFD article (*GE Commits to Quick Response: Dealers get*

opportunity to check firm's stock around the clock; deliveries within 48 hours,

HFD The Weekly Home Furnishings Newspaper, Vol. 0, no. 0 (August 5, 1991), p.

105) in view Krantz (Krantz, M. *Custom-Designed Ads, Marketing Computers,* Vol.

0, no. 0 (October 1993) p. 8).

The HFD article teaches all the limitations discussed in the 102 rejection of

claims 1, 27 and 48 above.

Regarding claims 20, 41 and 63, the HFD article does not explicitly teach a

method or system wherein the user-attractive resource comprises a multi-media

presentation. However, Krantz teaches this limitation (page 1, paragraphs 2 and 3). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the user-attractive resource comprises a multi-media presentation as taught by Krantz. By modifying the teachings of the HFD article to include a method or system wherein the user-attractive resource comprises a multi-media presentation, one of ordinary skill in the art would have been permitted to convey information to the user in a movie format thereby capturing the attention of the user.

15.   **Claims 22, 43, 45 and 65 are rejected under 35 U.S.C. 103(a) as being unpatentable over the HFD article (*GE Commits to Quick Response: Dealers get opportunity to check firm's stock around the clock; deliveries within 48 hours, HFD The Weekly Home Furnishings Newspaper,* Vol. 0, no. 0 (August 5, 1991), p. 105) in view Kramer (Kramer, S. D. *More MSOs Use Web sites But How Well, Multichannel News,* Vol. 20, no. 25 (June 14, 1999) p. 40).**

The HFD article teaches all the limitations discussed in the 102 rejection of claims 1, 27 and 48 above.

Regarding claims 22, 43 and 65, the HFD article does not explicitly teach a method or system wherein the modular computer program displays dynamic pricing information in a ticker display format. However, Kramer teaches this limitation (page 3, paragraph 8). At the time of the applicant's invention, it would have been obvious to one of ordinary skill in the art to modify the teachings of the HFD article, to include a method or system wherein the modular computer program displays dynamic pricing

information in a ticker display format in order to provide the user with up-to-date pricing information.

Regarding claim 45, the HFD article further teaches a system wherein the modular computer program includes one or more associated visual indications of a user-attractive resource available on the computer network (page 1, paragraphs 2 and 7; and page 2, paragraph 4).

Conclusion

16.   The following prior art has not been relied upon in this Office action but is considered pertinent to applicant's disclosure:

a.   Diorio, J. J. *Software Industry Debates Pricing, HFD – The Weekly Home Furnishings Newspaper*, Vol.0, no. 0 (June 28, 1993) p. s10; teaches distributing software.

b.   Senior, A. *Northern Trust Adds Forex on Web for Custody Clients, American Banker*, Vol. 164, no. 119 (June 23, 1999) p. 9; teaches on-line trading service.

c.   Promo, *A Question of Will, Gale Group*, Vol. 0, no. 0 (July 1994) p. s10; teaches electronic data interchange (page 1), customer rewards (page 2) and customer coupons (page 2).

d.   Tyson, D. O. *On-Line Services, American Banker,* Vol. 151, no. 80 (April 23, 1986) p. 19; teaches distributing software (page 1) and providing pricing information (page 2).

e.   *BytePro zeros in on channel to sell new software, Computer Reseller News,* no. 693 (July 22, 1996) p. 69; teaches distributing software (page 1).

f.   Maddox, K. *Oracle's push – Selling through the Internet, Interactive Age,* Vol. 2, no. 6 (January 16, 1995) p. 1; teaches distributing software over the internet.

g.   RONNING (US 5,903,647) 11 May 1999; teaches self-launching system for distribution of software (col. 5, lines 39-44).

h.   LEVITAN (US 5,864,823) 26 January 1999; teaches submitting advertisements based on recipient profiles (col. 5, lines 12-35).

i.   GIULIANI (US 6,282,516) 28 August 2001; teaches generating and distributing coupons and incentives (col. 6, lines 1-26).

j.   HARTMAN et al. (US 5,987,425) 16 November 1999; teaches determining pricing according to customer price sensitivity (col. 8, lines 7-36).

k.   GABBARD et al. (US 6,205,432) 20 March 2001; teaches inserting an advertisement into end user messages (col. 9, lines 6-23).

l.   DEATON et al. (US 6,292,786) 18 September 2001; teaches distributing real-time pricing information and incentives (col. 8, lines 13-22).

m.   EGGLESSTON et al. (US 6,061,660) 9 May 2000; teaches selection of prizes over the Internet (col. 19, lines 56-67).

n.   TEICHER et al. (US 5,933,813) 3 August 1999; teaches an interactive sales promotion system functioning on the basis of a price algorithm (col. 3, lines 64-76; and col. 4, lines 1-16).

o.   BEZOS et al. (US 6,029,141) 22 February 2000; teaches use of hyperlinks

to navigate Internet (col. 4, lines 40-45).   .

p.   DEDRICK (US 5,752,238) 12 May 1998; teaches a pricing system in

which an advertisement is submitted to an end user of a computer network (col.
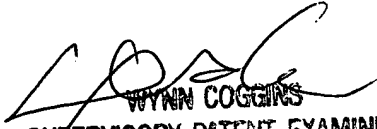
17, lines 47-63).

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Timothy M. Brown whose telephone number is (703)

305-1912. The examiner can normally be reached on Monday - Friday, 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Wynn Coggins can be reached at (703) 308-1344. The fax phone numbers

for the organization where this application or proceeding is assigned are (703) 746-7239

for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is (703) 305-

3900.

                                        Timothy M. Brown
                                        Examiner
                                        Art Unit 2165

TMB
January 14, 2002

WYNN COGGINS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100